

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

UNITED STATES OF AMERICA *ex*
rel. JOSEPH FANTIN,

Plaintiff,

v.

ADVOCATE AURORA HEALTH,
INC., AURORA HEALTH CARE,
INC., AURORA HEALTH CARE
METRO, INC., WEST ALLIS
MEMORIAL HOSPITAL, INC.,
CRAIG JANKUSKI, JENNIFER
POGODZINSKI, and CYNTHIA
MEIER,

Defendants.

Case No. 23-CV-906-JPS

ORDER

On March 11, 2024, the United States filed a notice of election to decline intervention pursuant to the False Claims Act, 31 U.S.C. § 3730. ECF No. 9. Therein, and pursuant to Section 3730(b)(1) of the False Claims Act, the United States requests that the Court permit the Relator to maintain this action in the name of the United States, provided that the “action may be dismissed only if the court and the Attorney General give written consent to the dismissal and their reasons for consenting.” *Id.* at 1 (quoting 31 U.S.C. § 3730(b)(1)). The United States also requests, pursuant to Section 3730(c)(3) of the False Claims Act, that all pleadings filed in this action be served upon the United States and that all orders issued by the Court be sent to the United States’ counsel. *Id.* at 2. The United States also requests an order expressly reserving its rights to order any deposition transcripts and to

intervene in this action for good cause at a later date. *Id.* It also requests that it be served with all notices of appeal. *Id.* Finally, the United States requests that the Relator's Complaint, its notice of election to decline intervention, and this Order be unsealed, and that all other documents on file in this action remain under seal. *Id.* Based on the submissions of the United States, and for good cause shown,

IT IS ORDERED that the Relator's Complaint, ECF No. 1, be unsealed and served on Defendants by the Relator;

IT IS FURTHER ORDERED that the United States' notice of election to decline intervention, ECF No. 9, and this Order, ECF No. 10, be unsealed and served on Defendants by the Relator after service of the Complaint;

IT IS FURTHER ORDERED that all other entries on the docket, except those specifically named in this Order, remain sealed until further order of the Court;

IT IS FURTHER ORDERED that the seal shall be lifted on all matters occurring in this action as of and after the date of this Order;

IT IS FURTHER ORDERED that the parties shall serve all pleadings and motions filed in this action, including supporting memoranda, upon the United States, as provided for in 31 U.S.C. § 3730(c)(3). The United States may order any deposition transcripts and is entitled to intervene in this action, for good cause, at any time;

IT IS FURTHER ORDERED that the parties shall serve all notices of appeal upon the United States;

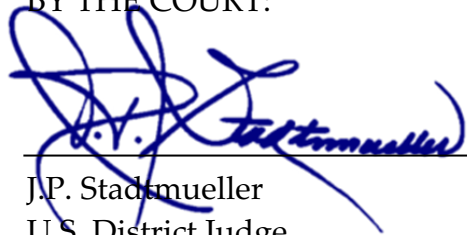
IT IS FURTHER ORDERED that all orders of this Court shall be sent to the United States; and

IT IS FURTHER ORDERED that should the Relator or Defendants propose that this action be dismissed, settled, or otherwise discontinued,

the Court will solicit the written consent of the United States before ruling or granting its approval.

Dated at Milwaukee, Wisconsin, this 12th day of March, 2024.

BY THE COURT:



J.P. Stadtmueller
U.S. District Judge